

United States District Court
Eastern District of Michigan

United States of America

**ORDER OF DETENTION PENDING REMOVAL
TO DISTRICT OF PROSECUTION AND TRIAL**

v.

Antoine Lamont Jacobs

Case Number: 06-30344

Minnesota file number: 06-148 (JRM/RLE)

Defendant

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

U(1) I find that:

Uthere is probable cause to believe that the defendant has committed an offense

Ufor which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;

Uunder 18 U.S.C. § 924(c).

U(2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

U I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

U I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

U(a) nature of the offense—charge is one for drugs in several month conspiracy, involves 560 gms crack cocaine

U(b) weight of the evidence—indictment returned by grand jury in Minnesota, no further information known

U(c) history and characteristics of the defendant—def is 20 years old, single and father of one child

U1) physical and mental condition—per his mother, no physical or mental health issues

U2) employment, financial, family ties—lifelong resident of Michigan. He has been employed at Karbyne Technologies for past eight months

U3) criminal history and record of appearance—has some misdemeanor warrants including failure to appear, has past record of small amounts of drugs, attempt felony stolen property, retail fraud, and probation violations.

U(d) probation, parole or bond at time of the alleged offense—offense in MN was committed at time def was on “absconder status” from the Michigan case. If def had not absconded, he would likely have been on probation at time of alleged offense. Violated probation in Minnesota.

U(e) danger to another person or community—in July 2005, def was charged with poss of marijuana and firearm—in Pennsylvania. He was released and failed to appear, bench warrant is outstanding.

Defendant has failed to rebut the presumption of detention under the statute. Despite family and community ties, the history of nonappearance and outstanding warrant for firearm related offense establish a pattern of disregard for court orders, drug use, and criminal activity in multiple jurisdictions. Def is ordered detained.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the

defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date 7/13/06

s/Virginia M. Morgan

Signature of Judge

Virginia M. Morgan, United States Magistrate Judge

Name and Title of Judge